

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:17-cv-02460-APM**

SAN MARTIN v. U.S. DEPARTMENT OF HOMELAND  
SECURITY et al  
Assigned to: Judge Amit P. Mehta  
Cause: 05:552 Freedom of Information Act

Date Filed: 11/15/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****ANTONIO SAN MARTIN, JR.**

represented by **ANTONIO SAN MARTIN, JR.**  
1330 South Fair  
Apartment 608  
Arlington, VA 22202  
(202) 549-7602  
PRO SE

V.

**Defendant****U.S. DEPARTMENT OF  
HOMELAND SECURITY**

represented by **Patricia K. McBride**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****FEDERAL EMERGENCY  
MANAGEMENT AGENCY**

represented by **Patricia K. McBride**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 11/15/2017 | <u>1</u> | COMPLAINT against FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY ( Filing fee \$ 400, receipt number 4616088097) filed by ANTONIO SAN MARTIN. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(jf) (Entered: 11/21/2017) |
| 11/15/2017 |          | SUMMONS (4) Issued as to FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (jf) (Entered: 11/21/2017)   |
| 11/17/2017 | <u>2</u> | AFFIDAVIT re <u>1</u> Complaint by ANTONIO SAN MARTIN. (jf) (Entered: 11/21/2017)  |
| 11/21/2017 |          | MINUTE ORDER directing the Clerk's Office to reissue the correct summonses in this FOIA matter. Signed by Judge Amit P. Mehta on 11/21/2017. (lcamp3) (Entered: 11/21/2017)  |
| 11/29/2017 | <u>3</u> | SUMMONS (4) Issued as to FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (zrdj) (Entered: 11/29/2017)   |
| 12/04/2017 | <u>4</u> | NOTICE of Appearance by Patricia K. McBride on behalf of FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND  |

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|            |           | SECURITY (McBride, Patricia) (Entered: 12/04/2017)   |
| 12/04/2017 | <u>5</u>  | CERTIFICATE OF SERVICE by FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY re <u>4</u> Notice of Appearance . (McBride, Patricia) (Entered: 12/04/2017)   |
| 12/18/2017 | <u>6</u>  | ANSWER to <u>1</u> Complaint by FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY.(McBride, Patricia) (Entered: 12/18/2017)  |
| 12/18/2017 | <u>7</u>  | ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before January 8, 2018. See attached Order for additional details. Signed by Judge Amit P. Mehta on 12/18/2017. (lcapm3) (Entered: 12/18/2017)  |
| 12/18/2017 |           | Set/Reset Deadlines/Hearings: Joint Status Report due by 1/8/2018. (zcdw) (Entered: 12/19/2017)  |
| 01/08/2018 | <u>8</u>  | Joint STATUS REPORT by FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY. (McBride, Patricia) (Entered: 01/08/2018)  |
| 01/09/2018 |           | MINUTE ORDER. In light of the parties' <u>8</u> Joint Status Report, the parties shall submit another Report no later than April 9, 2018, which updates the court on Defendant's search and production efforts. Signed by Judge Amit P. Mehta on 01/09/2018. (lcapm3) (Entered: 01/09/2018)  |
| 01/09/2018 |           | Set/Reset Deadlines/Hearings: Joint Status Report due by 4/9/2018. (zcdw) (Entered: 01/10/2018)  |
| 01/16/2018 | <u>9</u>  | MOTION for CM/ECF Password by ANTONIO SAN MARTIN (zrdj) (Entered: 01/19/2018)  |
| 01/24/2018 |           | MINUTE ORDER denying without prejudice Plaintiff's <u>9</u> Motion for CM/ECF Password. Plaintiff's Motion does not satisfy the requirements of Local Civil Rule 5.4(b)(2). To cure these deficiencies, Plaintiff may file a subsequent Motion for CM/ECF User Name and Password in which he "confirm[s] the capacity to file documents and receive filings electronically on a regular basis" and "certif[ies] that he either has successfully completed the entire Clerk's Office on-line tutorial or has been permitted to file electronically in other federal courts." The Clerk's Office on-line tutorial may be accessed at <a href="http://media.dcd.uscourts.gov/ecf2d/">http://media.dcd.uscourts.gov/ecf2d/</a> . Signed by Judge Amit P. Mehta on 01/24/2018. (lcapm3) (Entered: 01/24/2018)                               |
| 04/09/2018 | <u>10</u> | STATUS REPORT by FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY. (McBride, Patricia) (Entered: 04/09/2018)  |
| 04/10/2018 |           | MINUTE ORDER. The parties shall submit a Joint Status Report no later than May 18, 2018, updating the court on their efforts to resolve their outstanding FOIA disputes. In the event the parties are unable to resolve their differences, the summary judgment briefing schedule shall be as follows: (1) Defendant's Motion for Summary Judgment shall be filed no later than June 29, 2018; (2) Plaintiff's Cross-Motion for Summary Judgment and Opposition to Defendant's Motion for Summary Judgment shall be filed no later than July 29, 2018; (3) Defendant's Reply and Opposition to Plaintiff's Motion for Summary Judgment shall be filed no later than August 29, 2018; (4) Plaintiff's Reply shall be filed on or before September 29, 2018. Signed by Judge Amit P. Mehta on 04/10/2018. (lcapm3) (Entered: 04/10/2018) |
| 04/10/2018 |           | Set/Reset Deadlines/Hearings: Joint Status Report due by 5/18/2018. Defendant's Summary Judgment motions due by 6/29/2018. Response to Motion for Summary Judgment due by 7/29/2018. Reply to Motion for Summary Judgment due by 8/29/2018. Plaintiff's Cross Motion due by 7/29/2018. Response to Cross Motion due by 8/29/2018. Reply to Cross Motion due by 9/29/2018. (zcdw) (Entered: 04/11/2018)   |
| 05/18/2018 | <u>11</u> | Joint STATUS REPORT by FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY. (McBride, Patricia) (Entered: 05/18/2018)  |

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| 05/21/2018 |           | MINUTE ORDER. The parties shall file a Joint Status Report on or before July 17, 2018, addressing whether the parties have resolved all outstanding issues and, if not, proposing an amended briefing schedule. Signed by Judge Amit P. Mehta on 05/21/2018. (lcapm3) (Entered: 05/21/2018)   |
| 05/21/2018 |           | Set/Reset Deadlines: Joint Status Report due by 7/17/2018. (zjd) (Entered: 05/24/2018)  |
| 07/17/2018 | <u>12</u> | JOINT STATUS REPORT. (McBride, Patricia) Modified on 7/18/2018 to correct docket text (jf). (Entered: 07/17/2018)   |
| 07/24/2018 | <u>13</u> | ORDER entering briefing schedule proposed in the parties' <u>12</u> Joint Status Report. Defendants' Motion for Summary Judgment shall be filed on or before September 26, 2018; Plaintiff's Cross-Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment shall be filed on or before October 26, 2018; Defendants' Reply and Opposition to Plaintiff's Cross-Motion for Summary Judgment shall be filed on or before November 13, 2018; and Plaintiff's Reply shall be filed on or before December 3, 2018. See the attached Order for details. Signed by Judge Amit P. Mehta on 07/24/2018. (lcapm3) (Entered: 07/24/2018) |
| 07/24/2018 |           | Set/Reset Deadlines: Defendant's Summary Judgment motions due by 9/26/2018. Plaintiff's Cross-Motion for Summary Judgment and Opposition due by 10/26/2018. Defendant's Reply and Opposition due by 11/13/2018. Plaintiff's Reply due by 12/3/2018. (zjd) (Entered: 07/26/2018)   |
| 09/20/2018 | <u>14</u> | Joint MOTION for Extension of Time to by FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY (McBride, Patricia) (Entered: 09/20/2018)  |
| 09/20/2018 |           | MINUTE ORDER granting <u>14</u> Joint Motion for Extension of Time. The <u>13</u> Order setting the summary judgment briefing schedule is hereby vacated. The parties shall file a Joint Status Report on or before October 31, 2018, advising the court as to whether further litigation will be required and, if so, proposing a briefing schedule. Signed by Judge Amit P. Mehta on 09/20/2018. (lcapm3) (Entered: 09/20/2018)   |
| 09/20/2018 |           | Set/Reset Deadlines: Joint Status Report due by 10/31/2018. (zjd) (Entered: 09/21/2018)   |
| 10/31/2018 | <u>15</u> | Joint STATUS REPORT by FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(McBride, Patricia) (Entered: 10/31/2018)   |
| 10/31/2018 |           | MINUTE ORDER. No later than December 19, 2018, the parties shall notify the court whether this matter has settled. If not, the parties shall propose a briefing schedule. Signed by Judge Amit P. Mehta on 10/31/2018. (lcapm3) (Entered: 10/31/2018)   |
| 10/31/2018 |           | Set/Reset Deadlines: Joint Status Report due by 12/19/2018. (zjd) (Entered: 11/01/2018)   |
| 12/20/2018 | <u>16</u> | STIPULATION of Dismissal by FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY. (McBride, Patricia) (Entered: 12/20/2018)  |